

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: :  
David John Parkinson : Group Art Unit:  
Serial No.: 10/553,080 : Examiner:  
International Filing Date: March 31, 2004 : Docket No.: DPS-030807 PET-1013US  
For: FILTRATION APPARATUS : Date: February 21, 2007

**RENEWED PETITION IN SUPPORT OF APPLICATION FILED UNDER  
37 CFR §1.47(b) AND FEES UNDER 37 CFR §1.17(h)**

Mail Stop PCT  
Commissioner for Patents  
Office of PCT Legal Administration  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

This is a Renewed Petition for acceptance of an application where the sole inventor refuses to execute the application for patent.

Ms. Erin P. Thomson, Attorney Advisor for PCT Administration, issued a Decision on Petition under 37 CFR §1.47(b) dated 21 Nov. 2006. Of the items (1) through (6) addressed therein, Ms. Thomson kindly found that items (1), (3) and (6) had been met, for which the Applicant is very appreciative. Ms. Thomson found that items (2), (4) and (5) had not been satisfied.

In support of the Petition, the following are presented:

I hereby certify that this correspondence, and any attachments referred to, is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Box PCT, Office of PCT Legal Administration, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on

FEBRUARY 21, 2007  
Date of Deposit

David L. Mossman  
David L. Mossman

2/21/2007  
Date

A. A Declaration in Support of Petition for Application Filed Under 37 CFR §1.47(b) signed by David L. Mossman, and Exhibits A-E attached thereto;

B. A revised Declaration and Power of Attorney containing an added section thereto for Signature by Person on Behalf of Nonsigning Inventor Who Refuses to Sign, signed by Mr. Manish B. Vyas, a person authorized to sign on behalf of the Applicant with sufficient proprietary interest in the subject application;

C. A revised Declaration and Statement of Facts in Support of Filing on Behalf of Nonsigning Inventor and Establishing Proprietary Interest for Application Filed Under 37 CFR §1.47(b) signed by Mr. Manish B. Vyas, and Certificate of KCC Group Limited (Exhibit A) attached thereto;

D. The original, certified statement of inventorship from the UK Patent Office dated 21 August 2006, certifying that David John Parkinson is believed to be the sole inventor of the Filtration Apparatus of Patent Application Number 0308291.4 "By virtue of employment of the inventor by the applicant", the applicant being Dynamic Processing Solutions PLC (hereinafter DPS) (a photocopy of this statement was attached to Mr. Noel J. Akers' Legal Memorandum in the original Petition submitted September 1, 2006);

E. A Declaration in Support of Petition for Application Filed Under 37 CFR §1.47(b) signed by Mr. Paul W. Webb, a former director and co-founder with Mr. Parkinson of DPS, establishing his belief that Mr. Parkinson was and is the sole inventor of the "Filtration Apparatus"; and

F. A Petition for Extension of Time under 37 CFR §1.136(a) for one month and the petition fee of \$120.00 (check #17173 dated February 20, 2007).

Item (2)

Ms. Thomson determined that item (2) has not been satisfied. Ms. Thomson found that the Applicant claims that Mr. Parkinson has refused to execute the declaration, but has not provided proof that Mr. Parkinson was presented with complete copy of the application papers and has refused to sign. Ms. Thomson found that Mr. Ziar did not indicate that the application was included with the papers.

forwarded to the inventor. Copies of documentary evidence indicating that the inventor received a complete copy of the application papers should be included. Further, Ms. Thomson found that applicant may have created some confusion as to what is required of the inventor, MPEP 409.03(d). Only a signed declaration of the inventor is required for applicant to enter the national phase. Applicant sent Mr. Parkinson an assignment to KCC, to sign. Ms. Thomson noted that Mr. Parkinson appears unaware of the sale of assets to KCC or uncomfortable signing an assignment to a company for whom he did not work. Ms. Thomson found that he is not clearly refusing to sign a declaration of inventorship.

In response thereto the Applicant respectfully submits the attached Declaration in Support of Petition for Application filed under 37 CFR §1.47(b) signed by David L. Mossman. In it, Mossman establishes that he sent to Mr. Parkinson a 2-page letter (copy attached as Exhibit A) that requested Mr. Parkinson review the documents, sign the Declaration and return it; a copy of the application, a Declaration and Power of Attorney for his signature (copy attached thereto as Exhibit B); and a prepaid, preaddressed DHL Express return envelope. No assignment was included. All of these were sent to Mr. Parkinson on December 13, 2006 via DHL International Express (please see Exhibit C, International Shipment waybill). Applicant's hope was that if Mr. Parkinson was asked to sign the Declaration by someone different than Mr. Ziar, he may sign the document. No response was received from this package, even though they were received by Mr. Parkinson as noted in the Tracking results detail from the DHL Web site that the DHL International Express package was delivered on 12/15/2006 at 10:10 am and signed for by: PARKINSON (Exhibit D).

All of these documents were also sent to Mr. Parkinson in electronic form on December 13, 2006 via email, except for the prepaid, preaddressed DHL Express return envelope. Mr. Parkinson acknowledged receipt of the email by replying the same date noting "I am currently in China, I will review this matter on my return to the UK on the 20<sup>th</sup>, thank you for your detailed explanation." No further email

communication was received from Mr. Parkinson, in particular, no signed Declaration was received. Email reminders to Mr. Parkinson by Mossman on January 18 and 22 2007 were also unanswered as of the date of Mossman's Declaration.

Applicant respectfully submits that since at least two weeks has passed since Mr. Parkinson received the indicated documents and no signed Declaration has been received, it must be understood that Mr. Parkinson is clearly refusing to sign a declaration of inventorship. Mr. Parkinson was presented with a complete copy of the application papers not once, but twice, by two different methods. Copies of documentary evidence indicating that the inventor received a complete copy of the application papers have now been submitted. No assignment was presented to avoid confusion. Applicant respectfully submits that item (2) has now been satisfied.

Item (4)

Ms. Thomson determined that item (4) has not been satisfied. The declaration was found to be defective in several respects. First, the §1001 clause is incomplete and its presence with the inventor biographical data makes it unclear what is being executed. Ms. Thomson notes that merely stating what follows "I, Manish B. Vyas hereby declare ..." is not sufficient. The 37 CFR 1.47(b) applicant is required to state everything that the inventor would have to state. Additionally, the declaration seems to indicate that the property interest is vested in Vyas personally rather than in the assignee for whom Vyas is empowered to act. Finally, as Vyas is empowered to act by KCC Group, who is apparently the assignee, it is unclear why Vyas is indicated as representing Cameron International Corporation.

In response thereto the Applicant respectfully notes that it was discovered that the two documents signed by Mr. Vyas may have had their last pages (page 3 of each) inadvertently switched. The Applicant regrets any confusion that this may have caused.

Ms. Thomson's attention is respectfully directed to the enclosed two new Declarations by Mr. Vyas. The §1001 clause is now complete. In the new Declaration and Power of Attorney, Mr. Vyas has now stated everything that that the inventor would have to state. The Declarations no longer indicate that the property interest is vested in Mr. Vyas personally rather than in the assignee for whom Mr. Vyas is empowered to act. Finally, Mr. Vyas is identified in both documents as an authorized agent KCC Group Limited, who is the assignee. (Mr. Vyas also happens to be authorized to sign on behalf of Cameron International Corporation.)

Applicant respectfully submits that item (4) has now been satisfied.

Item (5)

Ms. Thomson also determined item (5) has not been met. She finds that the legal memorandum relies on an employment agreement executed by Mr. Parkinson, but that employment agreement has not been included with this submission. Further, Ms. Thomson noted that the submission lacked a statement of someone with firsthand knowledge that this invention was made by Mr. Parkinson, while employed by DPS. Ms. Thomson admits that Mr. Parkinson comes close, but he does not specifically indicate that "Filtration Apparatus" was made while employed by DPS.

In response thereto the Applicant respectfully submits the attached Declaration by Mr. Paul W. Webb. Mr. Webb was a director and co-founder of DPS along with Mr. Parkinson. He was in a unique, firsthand position to believe that Mr. Parkinson made the invention while employed by DPS, and in his Declaration he establishes his belief of these facts. Applicant respectfully submits that Mr. Webb's Declaration alone is sufficient to establish the necessary facts.

The Applicant also respectfully submits the original, certified statement of inventorship from the UK Patent Office dated 21 August 2006, certifying that David John Parkinson is believed to be the sole inventor of the Filtration Apparatus of Patent Application Number 0308291.4 "By virtue of employment of the inventor by the applicant", the applicant in this case being Dynamic Processing Solutions PLC. A

photocopy of this statement was attached to Mr. Noel J. Akers' Legal Memorandum in the original Petition submitted September 1, 2006. Applicant believes that this certified statement, along with Mr. Akers' Legal Memorandum, further establish that the invention was made by Mr. Parkinson while employed by DPS. Ms. Thomson did not address this certified statement. Applicant respectfully submits that the UK Patent Office certified statement by itself is sufficient to establish the necessary facts, especially when taken together with Mr. Akers' Legal Memorandum.

Further, Ms. Thomson admits that "Mr. Parkinson comes close, but he does not specifically indicate that 'Filtration Apparatus' was made while employed by DPS."

The Applicant also respectfully submits that all of the documented facts, established above, the Declaration by Mr. Webb, the Legal Memorandum by Mr. Akers\*, the original certified statement from the UK Patent Office, and Mr. Parkinson's own statement in his email of 23 March 2006\* attached to Mr. Ziar's Declaration of 14 July 2006\*, taken as a whole, clearly establish that Mr. Parkinson made the invention while employed by DPS. Thus, item (5) has been met.

The Applicant is diligently searching for a copy of Mr. Parkinson's employment agreement but to date has not located it.

#### Prayer for Relief

In view of these facts, the Applicant respectfully petitions that the United States Patent and Trademark Office accept the application because the inventor has refused to sign, and accept the application on behalf of one showing sufficient proprietary interest in the matter justifying such action, necessary to preserve the rights of said party, in particular that items (2), (4) and (5) have now also been satisfied.

#### Fee

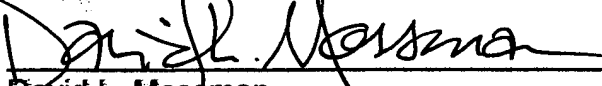
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\* These documents were originally supplied in the original Petition of September 1, 2006.

The petition fee has been previously paid; Ms. Thomson noted in the 21 Nov. 2006 Decision that no additional petition fee is required. However, if any additional fees are due with respect to this Petition and submissions attached hereto, the Examiner is authorized to charge such fees to Madan, Mossman & Sriram, P.C. Deposit Account No. 13-0010 (PET-1013US).

Respectfully submitted,

Date: 2/21/2007



David L. Mossman

Reg. No. 29,570

Attorney for Applicant

Madan, Mossman & Sriram, P.C.

2603 Augusta

Suite 2603

Houston Texas 77057

Phone: 512/219-4026

Facsimile: 512/219-4036

Email: dmossman@madanlaw.com

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: : OFFICIAL  
David John Parkinson : Group Art Unit:  
Serial No.: 10/553,080 : Examiner:  
International Filing Date: March 31, 2004 : Docket No.: DPS-030807 PET-1013US  
For: FILTRATION APPARATUS :

DECLARATION IN SUPPORT OF PETITION  
FOR APPLICATION FILED UNDER 37 CFR §1.47(b)

Mail Stop PCT  
Commissioner for Patents  
Office of PCT Legal Administration  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

This is a Declaration in support of a Petition for acceptance of a Declaration and Power of Attorney filed by KCC Group Limited on behalf of an unavailable sole inventor. In support of the Petition, the following supporting facts are presented:

1. I, David L. Mossman, am an attorney with Madan, Mossman & Sriram, P.C., a law firm in the United States concerned with patents and trademark matters, having a place of business at the address below my signature *infra*.
2. It is my understanding that Mr. David John Parkinson is the named inventor in the above-identified patent application.

I hereby certify that this correspondence, and any attachments referred to, is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Box PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450 on

FEBRUARY 21, 2007  
Date of Deposit

David L. Mossman  
David L. Mossman

2/21/2007  
Date



3. My efforts to have Mr. Parkinson sign the subject Declaration and Assignment have been as follows:
4. On December 13, 2006 I sent to Mr. Parkinson via DHL International Express:
  - a. The original of my 2-page letter (copy attached hereto as Exhibit A) requesting that he review the documents, sign the Declaration and return it to me;
  - b. A copy of the application as WO 2004/089505 A1 (23 pages);
  - c. A Declaration and Power of Attorney for his signature (copy attached hereto as Exhibit B); and
  - d. A DHL Express return envelope addressed back to me (prepaid).

Also enclosed are copies of the International Shipment Waybill (Exhibit C) and the Tracking results detail from the DHL Web site that the DHL International Express package was delivered on 12/15/2006 at 10:10 am and signed for by: PARKINSON (Exhibit D). Exhibit D indicates that Mr. Parkinson himself received the DHL International Express package.

5. No response has been received from Mr. Parkinson to the DHL International Express package as of the date of my signature below.
6. On the same date that I sent the DHL International Express package to Mr. Parkinson, December 13, 2006, I emailed the same letter to him, slightly adapted for email form, attaching electronic copies of:
  - a. the application as WO 2004/089505 A1 (23 pages); and
  - b. the Declaration and Power of Attorney for his signature.

A copy of this email is attached hereto as Exhibit E (pages 2-3).

7. As also shown in the Exhibit E email string copy (page 2), Mr. Parkinson briefly replied to my December 13 on the same day by noting:

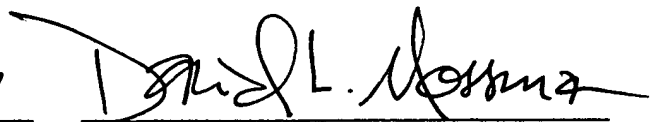
Tracking results detail from the DHL Web site that the DHL International Express package was delivered on 12/15/2006 at 10:10 am and signed for by: PARKINSON (Exhibit D)..

Mr. Parkinson's reply is proof that he received my email and attachments of December 13, 2006.

8. By January 18, 2007, I had not heard further from Mr. Parkinson, and sent him an email reminder that day. A copy of this email is also part of the email string of Exhibit E (page 1).
9. On January 22, 2007, I sent Mr. Parkinson another email reminder (page 1 of Exhibit E) asking that if he refused to sign the Declaration to please give us a clear indication in writing of that fact.
10. No further response has been received from Mr. Parkinson to my emails of December 13, 2006, January 18, 2007 and January 22, 2007, as of the date of my signature below.
11. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application cited above or any patent issued thereon. Further Declarant sayeth not.

Respectfully submitted,

Date: FEBRUARY 21, 2007



David L. Mossman  
Registration No. 29,570  
Attorney for Applicants  
Telephone No. 512/219-4026  
Facsimile No. 512/219-4036  
Email: dmossman@madanlaw.com  
Madan, Mossman & Sriram, P.C.  
2603 Augusta, Suite 700  
Houston, TX 77057-5638

*MADAN, MOSSMAN & SRIRAM P.C.*  
ATTORNEYS AT LAW

EXHIBIT A

PAUL S. MADAN  
K. P. SRIRAM, PH.D.  
DAVID L. MOSSMAN  
GENE L. TYLER  
CHANDRAN D. KUMAR  
BARBARA J. TRIBBLE  
TECHNICAL CONSULTANT:  
RONALD E. JONES, PH.D.

Wednesday, December 13, 2006

Mr. David J. Parkinson, Chairman  
DPS (Bristol) Ltd.  
Arodene, Walton-in-Gordano  
Clevedon, North Somerset BS21 7AR  
United Kingdom

By DHL Express

Re: Declaration for U.S. Patent Application Serial No. 10/553,080;  
Corresponding to PCT International Publication No. WO 2004/089505 A1  
"Filtration Apparatus"; KCC Group Limited;  
Cameron Ref.: DPS-030807US; Our Ref.: PET-1013US

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Dear Mr. Parkinson:

I am a U.S. patent attorney assisting KCC Group Limited with the subject U.S. patent application. This patent application concerns a Filtration Apparatus invented by you, and corresponds to Great Britain patent application GB 030829.14 and PCT International Application PCT/GB2004/001351 (published as WO 2004/089505 A1). In connection with this U.S. application, please find enclosed:

- A copy of the application as WO 2004/089505 A1;
- A Declaration and Power of Attorney for your signature; and
- A DHL Express envelope addressed back to me.

We would greatly appreciate it if you would review these documents and sign, date and return the Declaration. By signing the Declaration you do only 2 things:

1. State that you are the original, first and sole inventor of this invention; and
2. Appoint the eight attorneys listed to represent you in only this one U.S. application

This is the same Declaration that Mr. Christian Ziar of N. J. Akers & Co. has asked you to sign previously. You are correct that the rights in this invention were originally owned by Dynamic Processing Solutions Ltd. and are presently owned by KCC Group Limited. However, it is a peculiarity of U.S. patent law that patent applications must be made in the name of the inventor, not the name of the owner as they are in the United Kingdom

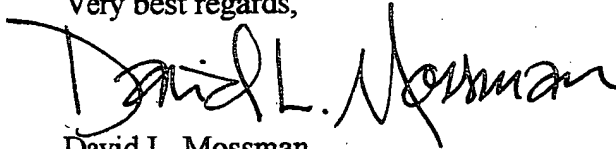
and most other countries. I would thus respectfully ask again for you to consider signing, dating and returning the enclosed Declaration.

It is not necessary that we receive the original, signed document. You may fax it to me at 1-512-219-4036 or scan it and attach it as an email to me at [dmossman@madanlaw.com](mailto:dmossman@madanlaw.com). If it is more convenient, you may return the original to me using the enclosed DHL Express envelope and calling 08701 100 300 for pick-up.

For your information, of the attorneys listed on the Declaration, Peter Bielinski and Manish Vyas are employed by Cameron International Corporation, whereas the other attorneys listed are in our firm.

Please let me know if you have any questions, at [dmossman@madanlaw.com](mailto:dmossman@madanlaw.com) or 1-512-219-4026. Thank you very much for your attention to this letter. We would greatly appreciate it if you would sign, date and return the enclosed Declaration soon.

Very best regards,

A handwritten signature in black ink, appearing to read "David L. Mossman", written over a horizontal line.

David L. Mossman

w/ encl. as noted

bcc: Mr. Manish Vyas, Ms. Lee Brevard

EXHIBIT B

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are stated below my name.

I believe that I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "**Filtration Apparatus**," the specification of which was submitted under 35 USC 371, with an international filing date of **May 31,2004**, and assigned **Serial No. 10/553,080**.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56 (a).

I hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)

NUMBER	COUNTRY	(DAY/MONTH/YEAR FILED) PRIORITY CLAIMED	YES NO	
			YES	NO
PCT/GB2004/001351	WO	31 May 2004	XX	
0308291.4	GB	10 April 2003		XX

I hereby claim the benefit under Title 35, U.S.C., Sec. 120 of any United States application or under Title 35, U.S.C., Section 119(e) of any provisional application listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in any prior United States application in the manner provided by the first paragraph of Title 35, U.S.C., Sec. 112. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

SERIAL NO.	FILING DATE	STATUS
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I hereby appoint, Peter Bielinski (Reg. No. 29,282), Manish Vyas (Reg. No. 54,516), David L. Mossman (Reg. No. 29,570), Paul S. Madan (Reg. No. 33,011), Kaushik P. Sriram (Reg. No. 43,150), Gene L. Tyler (Reg. No. 35,395), Chandran D. Kumar (Reg. No. 48,679), and Barbara J. Tribble (Reg. No. 37,670), as my attorneys with full power of substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Please address all correspondence regarding this application to:

**Customer No. 27778**  
Patent Services Department  
Cooper Cameron Corporation  
P.O. Box 1212  
Houston, Texas 77251-1212

Direct all telephone calls to David L. Mossman at (512) 219-4026.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

First Named Inventor:	<b>David John Parkinson</b>
Residence:	Arodene, Walton-in-Gordano Clevedon, North Somerset BS21 7AR Great Britain
Post Office Address:	Same
Citizen Of:	Great Britain

\_\_\_\_\_  
Date

\_\_\_\_\_  
**David John Parkinson**

EXHIBIT E**David Mossman**

---

**From:** David Mossman [dmossman@madanlaw.com]  
**Sent:** Monday, January 22, 2007 8:18 AM  
**To:** David J. Parkinson (davidparkinson@dps-global.com)  
**Subject:** FW: Filtration Apparatus - US patent application  
**Importance:** High  
**Sensitivity:** Confidential

Dear Mr. Parkinson:

I am sorry to bother you again on this matter. However, should you decline to sign the attached Declaration as previously requested below via email, and transmitted on paper to you by DHL Express, we would greatly appreciate it if you would give us a clear indication in writing that you are refusing and have refused to sign this Declaration.

Again, thank you very much for any attention that you can give this matter. Please let us know if you have any questions.

Very best regards, --David Mossman

Madan, Mossman & Sriram, P.C.  
 11782 Jollyville Road  
 Austin, Texas USA 78759-3966  
 Phone: 512/219-4026  
 Fax: 512/219-4036  
 e-mail: [dmossman@madanlaw.com](mailto:dmossman@madanlaw.com)

This message is being sent by or on behalf of an attorney. It is intended for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged or confidential or otherwise legally exempt from disclosure. If you are not the named addressee, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately by e-mail and delete and destroy all copies of the message in all media.

-----Original Message-----

**From:** David Mossman [mailto:dmossman@madanlaw.com]  
**Sent:** Thursday, January 18, 2007 3:31 PM  
**To:** 'David Parkinson'  
**Subject:** RE: Filtration Apparatus - US patent application  
**Importance:** High  
**Sensitivity:** Confidential

Dear Mr. Parkinson:

I hope that you had an enjoyable holiday and a good start to the new year.

I do hate to be a pest about the matter below, but we are coming up on a deadline next week to submit the signed document. Please let us know if you intend to sign the Declaration, and if so, when we may expect to receive it. Please also let us know if you have any questions in this regard or need more information. We are very appreciative of any attention that you may give to this matter.

Very best regards, --David Mossman

Madan, Mossman & Sriram, P.C.  
 11782 Jollyville Road

2/20/2007

Austin, Texas USA 78759-3966  
Phone: 512/219-4026  
Fax: 512/219-4036  
e-mail: [dmossm@madanlaw.com](mailto:dmossm@madanlaw.com)

This message is being sent by or on behalf of an attorney. It is intended for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged or confidential or otherwise legally exempt from disclosure. If you are not the named addressee, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately by e-mail and delete and destroy all copies of the message in all media.

-----Original Message-----

**From:** David Parkinson [mailto:[davidparkinson@dps-global.com](mailto:davidparkinson@dps-global.com)]  
**Sent:** Wednesday, December 13, 2006 2:16 PM  
**To:** [dmossm@madanlaw.com](mailto:dmossm@madanlaw.com)  
**Subject:** RE: Filtration Apparatus - US patent application

Dear Sir,

I am currently in China, I will review this matter on my return to the UK on the 20<sup>th</sup>, thank you for your detailed explanation.

**Best Regards**

**David J Parkinson, Chairman,**  
DPS (Bristol) Ltd.  
Office Tel: +44 (0) 1275 841300  
Office Fax: +44 (0) 1275 841301  
Mob: +44 (0) 7766 555 781

[www.dps-global.com](http://www.dps-global.com)

DPS (Bristol) Limited, Confidentiality Note: The information in this email and any attachments is confidential and may be legally privileged. It is intended solely for the addressee. If you are not the intended recipient, please do not duplicate or forward this e-mail message and immediately delete it from your computer. Any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. Any views expressed in this message are those of the individual sender, except where the sender specifically states them to be the views of DPS (Bristol) Limited. The contents of an attachment, to this email, may contain software viruses, which could damage your computer system. Whilst DPS (Bristol) Limited has taken every reasonable precaution to minimise this risk, we can not accept liability for any damage which you sustain as a result of a software virus. You should carryout your own virus checks before opening the attachment.

---

**From:** David Mossman [mailto:[dmossm@madanlaw.com](mailto:dmossm@madanlaw.com)]  
**Sent:** 13 December 2006 16:22  
**To:** David Parkinson  
**Subject:** Filtration Apparatus - US patent application  
**Importance:** High

Re: Declaration for U.S. Patent Application Serial No. 10/553,080;  
Corresponding to PCT International Publication No. WO 2004/089505 A1  
"Filtration Apparatus"; KCC Group Limited;  
Cameron Ref.: DPS-030807US; Our Ref.: PET-1013US

Dear Mr. Parkinson:

I am a U.S. patent attorney assisting KCC Group Limited with the subject U.S. patent application. This patent application concerns a Filtration Apparatus invented by you, and corresponds to Great Britain patent application GB 030829.14 and PCT International Application PCT/GB2004/001351 (published as WO 2004/089505 A1). In connection with this U.S. application, please find attached:

- A copy of the application as WO 2004/089505 A1; and
- A Declaration and Power of Attorney for your signature.

We would greatly appreciate it if you would review these documents and sign, date and return the Declaration. By signing the Declaration you do only 2 things:

2/20/2007



1. State that you are the original, first and sole inventor of this invention; and
2. Appoint the eight attorneys listed to represent you in only this one U.S. application

This is the same Declaration that Mr. Christian Ziar of N. J. Akers & Co. has asked you to sign previously. You are correct that the rights in this invention were originally owned by Dynamic Processing Solutions Ltd. and are presently owned by KCC Group Limited. *However*, it is a peculiarity of U.S. patent law that patent applications must be made in the name of the inventor, not the name of the owner as they are in the United Kingdom and most other countries. I would thus respectfully ask again for you to consider signing, dating and returning the enclosed Declaration.

It is not necessary that we receive the original, signed document. You may fax it to me at 1-512-219-4036 or scan it and attach it as an email to me at [dmossman@madanlaw.com](mailto:dmossman@madanlaw.com). If it is more convenient, I am sending you paper copies of these documents to your home address, and you may return the original to me using the DHL Express envelope enclosed therewith.

For your information, of the attorneys listed on the Declaration, Peter Bielinski and Manish Vyas are employed by Cameron International Corporation, whereas the other attorneys listed are in our firm.

Please let me know if you have any questions, at [dmossman@madanlaw.com](mailto:dmossman@madanlaw.com) or 1-512-219-4026. Thank you very much for your attention to this matter. We would greatly appreciate it if you would sign, date and return the enclosed Declaration soon.

Very best regards & *Season's Greetings*, —David Mossman.

Madan, Mossman & Sriram, P.C. ...  
11782 Jollyville Road  
Austin, Texas USA 78759-3966  
Phone: 512/219-4026  
Fax: 512/219-4036  
e-mail: [dmossman@madanlaw.com](mailto:dmossman@madanlaw.com)

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2/20/2007

EXHIBIT C

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3

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## 1 Payer account number and shipment value protection details

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Payer Account No.

Shipment Value Protection (see reverse)

☐ Yes Declared Value for Carriage (in US \$) 0

Not all payment options are available in all countries.

## 2 From (Shipper)

Shipper's Account Number

754135144

Contact Name

David Mossman

Shipper's Reference (up to 35 characters)

PET-101305

Company Name

NADAN MOSSMAN &amp; SRIKAM PG

Address

555 200

101305

101305

Post/ZIP Code (required)

77157

Phone, Fax, or E-mail (required)

(713) 244-1130

## 3 To (Receiver)

Company Name

Contact Person

Mr. David J. Parkinson

Delivery Address DHL Cannot Deliver to a PO Box

Arodene, Walton-in-Gordano

Clevedon, North Somerset

Country

United Kingdom

Post/ZIP Code (required)

BS21 7AR

Phone, Fax, or E-mail (required)

+44(0) 7766 55 781

## 4 Shipment Details

Total number of packages	Total Weight If DHL Express Document packaging used, enter XD.	Pieces	Length	Width	Height
1	XD	@	x	x	x
		@	x	x	x
		@	x	x	x

7693141691

## 5 Full Description of Contents

Give Content and Quantity

- 1 2-page letter
- 1 2-page Declaration
- 1 23-page patent application

## 6 Dutiable Shipments Only (Customs requirement)

Attach the original and four copies of a Proforma or Commercial Invoice.

Export License No./Symbol (if applicable) Receiver's VAT/GST or Shipper's EIN/SSN

Declared Value for Customs (in US \$)  
(as on commercial/proforma invoice)

Schedule B Number / Harmonized Code (if applicable)

AES TRANSACTION NUMBER

TYPE OF EXPORT

☐ Permanent ☐ Repair/Return ☐ Temporary

Destination Duties/Taxes If left blank, Receiver pays duties/taxes.

☐ Receiver ☐ Shipper ☐ Other

The commodities, technology or software to be exported from the U.S. are in compliance with the U.S. Bureau of Export Administration. Diversion to countries contrary to U.S. law prohibited.

## 7 Shipper's Authorization (signature required)

I/we agree that DHL's standard terms apply to this shipment and limit DHL's liability for loss or damage to U.S. \$100. The Warsaw Convention may also apply (see reverse). I/we authorize DHL to complete other documents necessary to export this shipment. I/we understand that Shipment Value Protection is available on request, for an extra charge, I/we agree to pay all charges if the recipient or 3rd party refuses to pay. I/we understand that DHL DOES NOT TRANSPORT CASH.

Signature (required) *David Parkinson* Date 12/13/06

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Other

## DIMENSIONAL/CHARGEABLE WEIGHT

lbs

## SERVICES

## CHARGES

Drop Box #

TOTAL

## TRANSPORT COLLECT STICKER No.

## PAYMENT DETAILS (Check, Card No.)

No.:

Type

Expires

Auth.

## PICKED UP BY

Route No.

Time

Date

DHL Express (USA), Inc., 7200 South Pine Island Road, Plantation, Florida 33324

Shipper's Copy

EXHIBIT D

Conte



DHL USA Home



## Track results detail

### Tracking results detail for 7693141691

#### Track

- ▶ **Track by number**
- ▶ Track by reference
- ▶ Get delivery signature
- ▶ Track DHL Same Day service
- ▶ Monitor shipments

#### Tracking summary

Current Status: **✓ Shipment delivered.**

Delivered on: 12/15/2006 11:10 am

Delivered to:

Signed for by: **PARKINSON** What is this?

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User ID: Password: ☐ Remember my User ID

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#### Tracking history

Date and Time	Status	Location
12/15/2006 11:10 am	Shipment delivered. Picked Up by DHL.	

<b>Ship From:</b> MADAN MOSSMAN & SRIRAM PD Austin, TX 78757 United States	<b>Ship To:</b> Bristol, United Kingdom	<b>Shipment Information:</b> Ship date: Pieces: 1 Total weight: 2 lbs * Ship Type: Document Shipment Reference: P Service: International Special Service: Description: NONE
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Tracking detail provided by DHL: 2/19/2007, 1:24:50 pm pt.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David John Parkinson : Group Art Unit:

Serial No.: 10/553,080 : Examiner:

International Filing Date: March 31, 2004 : Docket No.: DPS-030807 PET-1013US

For: FILTRATION APPARATUS :

DECLARATION AND STATEMENT OF FACTS IN SUPPORT OF FILING ON  
BEHALF OF NONSIGNING INVENTOR AND ESTABLISHING PROPRIETARY  
INTEREST FOR APPLICATION FILED UNDER 37 CFR §1.47(b)

Mail Stop PCT

Commissioner for Patents:

P. O. Box 1450

Alexandria, Virginia 22313-1450

I, Manish B. Vyas, hereby declare that:

Statement of Facts in Support of Filing on Behalf of the Nonsigning Inventor

Upon information and belief, I am signing on behalf of the non-signing inventor and I am a person showing a sufficient proprietary interest for the Applicant KCC Group Limited; thus I recite facts as to why this action was necessary to preserve the rights of the parties.

Upon information and belief, I attest that KCC Group Limited, for which I am authorized to sign, has a *bona fide* intent and plan to disclose, publicize, market and

I hereby certify that this correspondence, and any attachments referred to, is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Box PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on

FEBRUARY 21, 2007  
Date of Deposit

David L. Mossman

2/21/2007  
Date

otherwise commercialize the invention described and claimed in the subject patent application to potential customers within the United States as soon as possible after the subject patent application is accepted. Such disclosure, publicity and marketing without acceptance by the United States Patent and Trademark Office would jeopardize the rights of the parties herein – the owners of the rights in the invention.

Upon information and belief, I understand that a primary reason for the ownership of the rights in an invention is to commercially exploit it, and such exploitation of the claimed invention herein is the intent of the owner KCC Group Limited.

Upon information and belief, I respectfully submit that the intent and plan to disclose, publicize and market the invention described and claimed in the subject patent application to potential customers within the United States constitutes a firm plan for commercialization of the subject matter of the subject application.

Statement by a Person Signing on Behalf of the Nonsigning Inventor Establishing Proprietary Interest

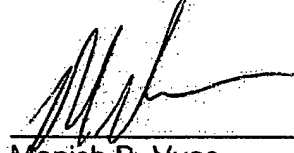
Upon information and belief, I attest that by virtue of the attached copy of the Certificate of KCC Group Limited signed by George Mackie, Director of Finance, Eastern Hemisphere, on January 30, 2006, attached hereto as Exhibit A, I am authorized to sign the attached Declaration and Power of Attorney for Patent Application on the above-identified application on behalf of the nonsigning inventor and make this statement as to the facts establishing my proprietary interest by virtue of the Certificate.

Upon information and belief, I attest that my relationship to the inventor is an authorized agent of the current owner of the invention, KCC Group Limited.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application cited above or any patent issued thereon. Further Declarant sayeth not.

Respectfully submitted,



Date: 2/19/07

Manish B. Vyas

Reg. No. 54,516

Manager, Patent Services  
Authorized agent for KCC Group  
Limited

P.O. Box 1212

Houston TX 77251

Tel: 713.939.2343

Fax: 713.939.2856

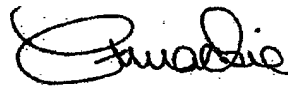
Manish.Vyas@c-a-m.com

**KCC GROUP LIMITED**

I, George Mackie, do hereby certify that I am Director of Finance, Eastern Hemisphere for KCC Group Limited (the "Company"); and that below is a true and complete resolution. I hereby resolve the following:

THAT, Peter Bielinski and Manish B. Vyas be, and hereby are, authorized and empowered to execute intellectual documents on behalf of the Company and its subsidiaries.

IN WITNESS WHEREOF, I have hereunto set my hand this 30<sup>th</sup> day of January, 2006.



---

George Mackie  
Director of Finance, Eastern Hemisphere

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: : **OFFICIAL**  
David John Parkinson : Group Art Unit:  
Serial No.: 10/553,080 : Examiner:  
International Filing Date: March 31, 2004 : Docket No.: DPS-030807 PET-1013US  
For: FILTRATION APPARATUS :

**DECLARATION IN SUPPORT OF PETITION  
FOR APPLICATION FILED UNDER 37 CFR §1.47(b)**

Mail Stop PCT  
Commissioner for Patents  
Office of PCT Administration  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

This is a Declaration in support of a Petition for acceptance of a Declaration and Power of Attorney filed by Cameron International on behalf of an unavailable sole inventor. In support of the Petition, the following supporting facts are presented:

1. I, Paul W. Webb, was a co-founder and director with Mr. David John Parkinson, along with five (5) other founder directors, of Dynamic Processing Solutions Ltd (hereinafter DPS).
2. Mr. Parkinson was the largest shareholder and the Managing Director of DPS from its inception in May 2002 until it went into administration in 2004.

I hereby certify that this correspondence, and any attachments referred to, is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Box PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on

**FEBRUARY 21, 2007**

Date of Deposit

David L. Moesman

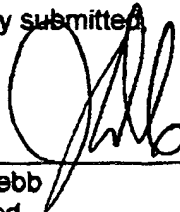
Date

**2/21/2007**



3. The directors were made aware of the invention of the "Filtration Apparatus" and the decision was made to file a patent application; I do not recall the dates or whether this was done in a board meeting.
4. It is my belief that Mr. Parkinson was and is the sole inventor of the "Filtration Apparatus" and that he made the invention while employed by DPS. I have no reason to know or believe that this is not true.
5. The first draft of the patent application including drawings was prepared in-house and I would probably have read this draft before it was submitted to our patent attorney; I may also have seen the drawings before the patent was drafted – possibly when informed of the invention.
6. I certainly followed the progress of the patent application.
7. I was responsible for producing the attached DynaSep product brochure with our marketing agents from the technical bulletins prepared by the engineers (one of which is attached). "DynaSep" was the trade name given to the "Filtration Apparatus" invention for marketing purposes.
8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application cited above or any patent issued thereon. Further Declarant sayeth not.

Respectfully submitted,



Date: \_\_\_\_\_

20/2/07

Paul W. Webb  
Xago Limited  
19 Concorde Drive  
FiveC Business Centre  
Clevedon BS21 6UH  
Tel: +44 (0)870 165 2020

## Introduction

Dynamic Processing Solutions Ltd has filed a Patent claim for its new radial filter, DynaSep. This product has enormous potential in all sectors of water treatment. In order to better understand the difference's and benefits of the product, a comparison is made below between today's standard 'down-flow' media filters and the DynaSep.

The DynaSep makes no new claims directly in relation to filtration technology as the rules for depth filtration and flux rates are not changed in the system. The assembly, internal packaging and cleaning of the media however offer significant advantages over traditional filters. The DynaSep incorporates a simple depth radial filter, but uniquely one that has the ability to wash 'on line' using dirty water if required. This important and novel feature is due in part to its unique distribution and collection system and this in turn is made possible by the incorporation of DPS patented hydro-transportation product 'HydroTrans'.

**Case study:** To treat 100,000 BWPd of seawater removing 95% of all particles 2 microns and above prior to water injection into a reservoir to enhance oil recovery:

Flowrate	:	100,000	BWPd
	:	2429	Imperial gallons per minute
	:	2917	US gallons per minute
	:	662.45	m <sup>3</sup> /hr

Using a flux rate of 50 m<sup>3</sup>/m<sup>2</sup>/hr, for this example for both DynaSep and Down-flow media filters.

### Traditional Down flow media filters calculation:

Surface area of media required for filtration =  $Flowrate / Fluxrate = 662.45 / 50 = 13.25 \text{ m}^2$

Number of filters used = 4 which equates to 3 on line filtering 1 on backwash, i.e. 4 x 33.33% filters

To calculate the diameter of vessel =  $13.25 / 3 = 4.416 \text{ m}^2/\text{filter}$

Diameter of filter =  $2\sqrt{4.416 / \pi} = 2.37\text{m}$

Allowing for a skid mounted package skid dimensions would typically be 3.5m wide x 5m high x 10.5m long = volume of 150m<sup>3</sup>. Additionally, the volume of backwash water needed for one complete wash = 304m<sup>3</sup>. The Pumping requirement for this Filter system is dependant on the backwash water requirement which in this case is a combination of low-rate and high-rate back-flush water (which needs to be pre-filtered to at least 80 microns) of 304m<sup>3</sup> for one complete wash of the four filters. The maximum pumping requirement for the system is 940m<sup>3</sup>/hr during a back-wash sequential wash, although this is only required for a short time it is the maximum instantaneous demand the feed pump must be designed for unless dedicated backwash pumps are used. The system will also require a roots type air blower for air scour during filter washing. Each filter can typically have up to eight full line size actuated valves for an automatic system.

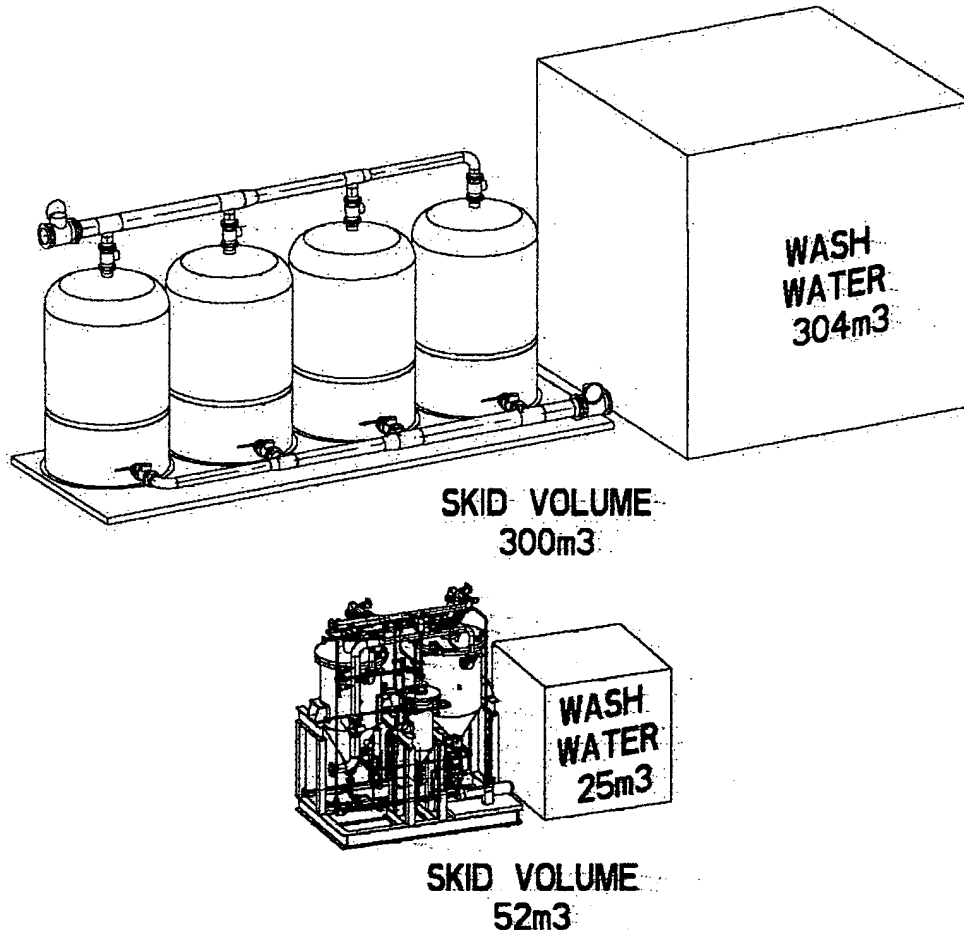


Fig (1) – Size Comparison of Down Flow Filter System with DynaSep

As can be seen above in fig. (1) the DynaSep Filter, by comparison, is substantially smaller, lighter and wastes less water and energy than conventional existing technologies. An equivalent DynaSep system to treat 662m³/hr will be 3m wide x 3.5 high x 5m long = a volume of only 52m³. This is a size reduction of some 80%.

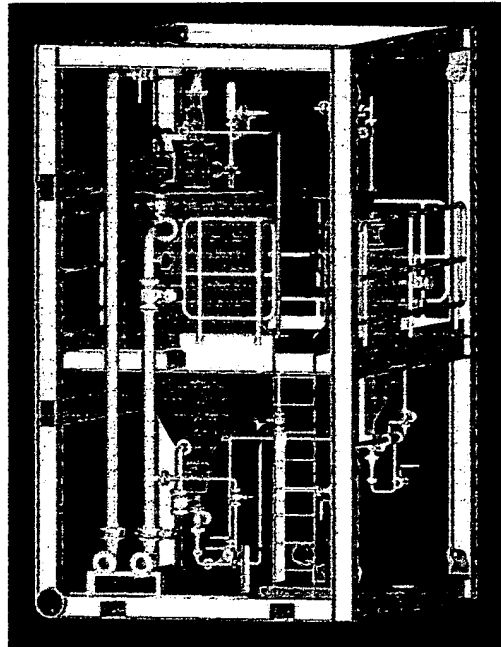
Typically DynaSep can be engineered to less than half the weight and space of standard filters. All DynaSep process calculations are automatically generated by DPS developed proprietary software.

**Real examples for the application of DynaSep technology in the Oil and Gas Industry:**

1. Produced water Treatment offshore and onshore
2. Produced water re-injection (zero discharge)
3. Sea water Injection for enhanced recovery of oil from offshore reservoirs
4. Subsea produced water re-injection
5. Aquifer water injection for enhanced recovery
6. Aquifer water treatment for Potable and irrigation use
7. Pre Treatment for RO plants for seawater to potable water
8. Petrol Chemical/Refinery waste water treatment
9. Boiler feed water treatment

#### **BENEFITS of DynaSep:**

- *Smaller and lighter (greater surface area for filtration using radial flow in smaller vessel)*
- *Less wash water required to clean media*
- *Less energy requirement due to smaller pump requirement*
- *Media can be changed or added to during wash cycle (using DPS proprietary HydroTrans unit)*
- *Filtration duty can be varied by simply changing media*
- *Extensively reduced civil works when land based*
- *Reduced structural steel requirement if used offshore*
- *May be possible in some cases to retro-fit existing filters*
- *Possible to double or treble volumetrically flow rate for same space*
- *Versatile system can be moved from site to site*
- *Automatic operating valves greatly reduced in size*
- *DynaSep is fully automated to clean media according to contaminant loading*
- *Waste stream from wash water is concentrated to allow easier disposal and can be dried if required; the waste stream can on occasions be of value, i.e. rare earths etc.*
- *Modular and mobile units are viable*



*Fig (2) - Typical GA of single DynaSep*

#### **MEDIA CLEANING ON-LINE WITH THE DYNASEP**

The DynaSep offers a rigorous media cleaning routine rather than relying on a simple 'up flow' to dislodge contaminants from dirty media. In traditional 'down flow' filters, it is extremely important to calculate the maximum velocity at a given temperature for a given filter media specific gravity and size, so that the backwash water can pass through the dirty media in an upwards direction to ensure cleaning the media.

without flushing the media out of the pressure vessel. It is well known that during this process which incorporates;

1. Drain down (leaving the required freeboard in the vessel).
2. First air scour (to loosen up a compact bed to avoid channelling).
3. Low rate backwash (typically 75% of normal flow through the filter for 15 minutes).
4. Second air scour (to further loosen bed and break up mud balls).
5. High rate backwash (typically filter design flowrate plus 10% for 15-20 minutes) drain down.
6. Pre-service flush (to compact the bed and charge with required chemicals).

The above conditions create a substantial amount of attrition of the media (knocking off the sharp angular edges of say sand or anthracite particles); which itself creates very fine material which is constantly lost from the media bed during the high rate flush. This is a well known cause of media loss. It is not normal for this type of traditional filter to have a method of measuring the media height inside the filter vessel, therefore media loss is not normally known until filtration quality falls off.

The DynaSep cleaning method is completely different to that described above. The DynaSep filtration media is a single uniform size, normally spherical where applicable, and can be dynamically washed by one of two methods. Firstly, through a classification hydrocyclone specifically designed to have a  $D_{90}$  removal efficiency based on the media size or specific gravity such that the media is gently scrubbed by the vortex action of the HydroTrans during hydrotransportation. This process can be controlled to any concentration or velocity as may be necessary. The vortex action in the hydrocyclone typically imparts a cleaning force in excess of 100 G's. The importance of this feature in terms of cleaning efficiency can best be understood by comparing the same with the 'up flow' backwash of a traditional existing technology filter, where if the upward flow of water imparts a force greater than even 1 G on the media particles, they would certainly be flushed straight out of the vessel!

The second method of cleaning the DynaSep media is the preferred method of counter-current flow. The HydroTrans unit scrubs the media as described above during transport to the wash vessel where the media is introduced into the wash vessel at high concentrations at the top of the vessel. The media then sinks at its own hindered settling velocity under Stokes Law as a function of its size, shape or its viscosity in the wash vessel. This is particularly interesting as there is no requirement to calculate the maximum velocity of any wash water which as earlier described can be affected by at least three variables, due to the fact that the media particles sink under their own shape and density characteristics along with that of the water inside the wash vessel. It is the sinking of the media particles through the volume of water in the wash vessel that removes the contaminants which are normally always smaller and lighter than the media itself, which causes them to be carried out of the vessel by the counter-current flow of water displaced by the media.

To supplement both of the washing methods described above, the DynaSep patent allows for the supplementation of the cleaning process by chemicals, such as surfactants, ultrasonic sound waves, and/or heat as may be required to successfully ensure the media is clean. As only a small volume of media is washed on each cycle back to the wash vessel, this allows for the media to be sampled prior to returning to the filter vessel in extreme cases, such as high oil content at the DynaSep inlet due to upset conditions to ensure that it is clean.

This rigorous cleaning methodology, together with the ability to remove and replace media on line without vessel entry or interrupting water filtration, affords the DynaSep filter a unique ability to be both a fix and forget solution together with its flexibility to be moved from site to site with little more than reselection of its media for the specific application.